

Trustee of Trust Funds – 3 years

Patricia J Martel 346

Patricia J Martel declared the winner.

Library Trustee – 3 years

Matthew E Thomas 360

Matthew E Thomas declared the winner.

Budget Committee – 3 years (2)

Audrey Karamourtopoulos 12

Michael Miller 11

Kyle Murdock 10

Audrey Karamourtopoulos and

Michael Miller declared the winners.

ARTICLE 2: Are you in favor of adding an **ARTICLE XVI** to the Fremont Zoning Ordinance read as follows:

XVI. ELDERLY HOUSING

A. Purpose:

The standards in this section have been established for the purpose of encouraging the construction of elderly housing developments (or the conversion of existing structures into elderly housing facilities), which are designed and constructed to meet the unique needs of elderly citizens, while ensuring compliance with local planning standards, land use policies, good building design, and the requirements for the health, safety and general welfare of the inhabitants of Fremont. Such developments shall not include assisted living and/or extended care facilities.

This ordinance has also been developed to incorporate open space development components for elderly housing projects. The Town of Fremont understands the importance of maintaining open space as a way of preserving rural character, protecting wildlife habitat and preserving important natural resource areas. In an effort to achieve these goals, this ordinance encourages the placement of elderly housing units in relatively compact areas within the development site in order to leave large undeveloped areas free of negative development impacts.

The Town of Fremont recognizes that one aspect of elderly housing development is that the housing built will continue to be put to this use in perpetuity, consistent with restrictive covenants and consistent with the provisions of state and federal law that permit housing units to be restricted by age.

This ordinance is also developed to allow mixed-use development to occur within the project. The standards herein allow service and retail facilities to be developed in conjunction with the creation of elderly housing. These mixed uses are allowed and encouraged because of their inherent connection to the needs of elderly residents and because such uses expand the feeling of community within the elderly development. This Ordinance is adopted pursuant to the provisions of RSA 674:21 (Innovative Land Use Controls), and the Planning Board is hereby empowered and authorized to administer this Ordinance in conjunction with the Selectmen and building officials of the Town of Fremont.

B. General Standards: All elderly housing developments shall conform to the following standards:

1. *Elderly housing developments shall be permitted as an overlay district thereby allowed anywhere throughout the Town of Fremont. All elderly housing developments shall occur on a parcel that is a minimum of 20 acres in size and shall have at least fifty feet (50') of frontage on a Class V road or higher.*
2. *The total number of elderly housing units approved or permitted by the Board under this ordinance in the Town of Fremont shall not exceed ten percent of the total dwelling units then permitted and existing under this ordinance in the Town of Fremont. (Explanatory note: The 2000 U.S. Census details 1,201 dwelling units in the Town of Fremont)*
3. *The maximum number of bedrooms allowed on a site is three per acre of upland, and shall be calculated as follows:*
 - a) *Subtract very poorly and poorly drained soils, alluvial soils, and soils with slopes greater than twenty-five (25) % from the total parcel acreage.*
 - b) *Subtract 10% of the remaining land for roads and utilities.*
 - c) *Multiply the resultant acreage by three bedrooms to get the maximum number of bedrooms allowed on the site.*

The allowed number of units may be grouped or dispersed over the non-open space areas in any fashion within the limits imposed by this ordinance and existing septic system siting requirements.

If the development is located within the Aquifer Protection District the number of bedrooms allowed per acre of upland is two.

4. *Dwelling units shall be specifically designed to provide housing for elderly residents 55 years old or older. Units shall have a maximum of two bedrooms, may not exceed thirty-five feet (35') in height, and may be either one or two stories. Buildings shall be separated by a minimum space of thirty-five feet (35'). This spatial relationship may be required to be larger if Planning Board review finds that this standard results in inadequate light and air between structures. No building shall exceed more than six individual units per structure. No individual unit shall exceed 1,500 square feet of living space, and no single-family building shall exceed 1,500 square feet in living space.*
5. *Adequate on site space shall be provided for off-street parking for two vehicles per dwelling unit.*
6. *Building massing and style shall be distinctly residential in character, drawing on historical design elements that are consistent with rural New England*

architecture and which feature characteristics such as pitched roofs, clapboard or shingle siding, raised panel exterior doors and divided light windows. All such elderly housing developments shall be designed and constructed to compliment and harmonize with the surrounding areas, particularly with regard to the size and scale of the development and its prominence and visibility to the community generally and to surrounding neighborhoods in particular.

7. *Except as provided for by this Elderly Housing ordinance, all such elderly housing developments shall comply in all respects with the Town of Fremont's Zoning Ordinance, Site Plan Review Regulations and/or Subdivision Regulations.*
8. *Dwelling units may be owner-occupied or rented. However, all permanent residents of all elderly housing units shall be at least 55 years of age.*
9. *The design and site layout of all such elderly housing developments shall compliment and harmonize with the rural character of the Town of Fremont, shall maximize the privacy of dwelling units and preserve the natural character of the land.*
10. *All such elderly housing developments shall make provision for pedestrian access (including amenities such as benches, street and path lighting, sidewalks and crosswalks) within the development and, to the extent possible, to off-site community facilities.*
11. *Each development shall incorporate the construction of a common/community facility to be used for homeowners' association meetings or general community activities. This facility can be incorporated into one of the housing structures or it can be a stand-alone building. For developments of less than twenty dwelling units this community facility is encouraged but not required.*
12. *All such elderly housing developments shall be landscaped to enhance their compatibility with surrounding areas, with emphasis given to the utilization of natural features wherever possible. The Planning Board may require a plan developed by a landscape architect be prepared for each development.*
13. *The perimeter of the areas of housing or mixed use development within the site shall be treated with a landscaped buffer zone of a minimum of twenty-five feet (25') which may consist in whole or in part of existing natural grown vegetation.*
14. *The Planning Board shall require that all roads within the development -- whether owned privately or not -- be built according to Town standards.*
15. *The Planning Board retains the right to approve the specific road and structure layouts for the purpose of the health, safety, and welfare of the town as well as for*

efficiency and aesthetic variety and quality of design.

- 16 *The applicant shall demonstrate that all units have been designed to meet the needs and accessibility requirements of the elderly as reflected in the HUD's Fair Housing Accessibility Guidelines.*

All units shall be built in accordance with applicable federal, state and local building codes.

- C. *Common Land/Open Space.* *In every elderly housing development, common land/open space shall be set aside and covenanted to be maintained permanently as open space. The required amount of open space for all elderly housing developments shall be calculated as follows:*

1. *No less than 33% of the gross upland area of the development shall be allocated to open space. Upland area is defined as all soils with slopes less than twenty-five 25 %, and excludes poorly and very poorly drained soils, alluvial soils (subject to flooding), and water bodies. The Planning Board will review each proposal with an eye toward ensuring that the proposed common areas are contiguous, disapproving proposals that carve the open space into small segments that do not achieve the goals defined in the Purpose Section above. It is recommended that sixty (60) to eighty (80) percent of the common areas should be contiguous.*

In calculating common/open space area the following shall not be included: public right-of-way, alluvial, very poorly and poorly drained soils, soils with slopes over 25%, and parking lots.

Use of Common Land: Such common land shall be restricted to open space recreational uses such as parks, swimming pools, tennis courts, golf courses, the common meeting facility (found in Section B 11 above), or conservation. While the setbacks, front, rear, and side, are considered part of the common land, none of the above uses shall be allowed within these areas, nor any other uses that would disturb the natural vegetation within these areas. 90% of the common/open space shall remain undisturbed. These restrictions of the use of the common land (including the landscaped buffered area) shall be stated in the covenants running with the land.

2. *Access to open space/common land. Such common land shall have suitable access via a trail, within the development.*
3. *Protection of Common Land. Open space, common areas, common facilities, private roadways, and other features within the elderly housing development shall be protected by covenants running with the land and shall be conveyed by the property owners to a homeowners association so as to guarantee the following:*

- a) *The continued use of land for the intended purposes.*
- b) *Continuity of proper maintenance for those portions of the development requiring maintenance.*
- c) *The availability of funds required for such maintenance.*
- d) *Recovery for loss sustained as a result of casualty, condemnation or otherwise.*
- e) *Creation of a homeowners association or tenancy-in-common or similar form of ownership, with automatic membership and obligation of the residents of the elderly housing development upon conveyance of title or lease to single dwelling units. Homeowners association, tenancy-in-common, or similar form of ownership shall include lien provisions and shall be subject to review and approval by the Planning Board.*

D. *It shall be the responsibility of the developer/builder of each such elderly housing development to establish a Home Owner's Association and to prepare and adopt appropriate Articles and By-Laws which are to be submitted in advance to the Planning Board and Town Counsel for their review and approval. In preparing the Articles and By-Laws, particular consideration shall be given to accommodating the unique needs of the elderly citizens and to ensuring that residents of such developments are guaranteed adequate and appropriate services. The creation of the Home Owner's Association and the Articles and By-Laws shall be at the sole expense of the developer/builder and the costs of the review by the Planning Board and Town Counsel shall also be born by the developer/builder. Any association formed for the purpose of elderly housing must have stipulated in their By-Laws and Declaration of Covenants that the Association will at all times be in compliance with current Fremont Ordinances governing elderly housing.*

The Applicant/Owner shall incorporate a written enforcement mechanism satisfactory to the Planning Board and its legal counsel whereby on an annual basis, a written age based census of the existing Occupants shall be provided to the Board of Selectmen. Upon any change in ownership or tenancy, the age of any new Occupants shall be given to the Board of Selectmen within thirty (30) days of tenancy/ownership changes.

E. *Mixed Use Component*

Each elderly housing development is encouraged to incorporate retail and /or service facilities. All proposals must comply with the Site Plan Review Regulations of the Town of Fremont as well as building design criteria found in this Ordinance.

F. *The Planning Board shall maintain and exercise the authority to approve or disapprove all proposed elderly housing developments. The Planning Board shall act reasonably in exercising such discretionary authority but shall take into consideration such factors, for example, as: the health, safety and general welfare of the citizens of Fremont; the aesthetic impact on immediately surrounding areas; whether the design is adequate to meet the unique needs of elderly residents; whether the Articles and By-Laws operate to serve the*

unique needs of elderly residents; the burdens created by additional demands on Town services; and whether the proposed development complies with the requirements of this Elderly Housing Ordinance, as well as, with the requirement of Fremont's Zoning Ordinance and Subdivision and Site Plan Regulations.

- G. *Residency restrictions for residential projects approved under the Elderly Housing Ordinance shall be accomplished by restrictions recorded in deeds, Condominium Declarations, and/or other documents recorded at the Rockingham County Registry of Deeds. All deeds and covenants shall be subject to review by Town Counsel at the sole expense of the developer/builder, and shall be approved by the Planning Board. Covenants shall expressly provide that they may be specifically enforced by the Town, whether by injunctive relief or otherwise. Covenants shall be signed by the Planning Board, and shall contain language specifying that Board approval is required for any subsequent changes to the covenants. Covenants shall expressly provide that they shall not be amended or modified, nor waivers granted there under, without the prior written approval of the Planning Board.*
- H. *The following terms shall have the following meanings for the purpose of interpreting these Elderly Housing Regulations:*
1. *Elderly Housing Development: Housing contained in a development intended for occupancy by people 55 years of age and older, and which features predominantly small single family units, apartments and/or condominiums.*
 2. *Bedroom: a room with an interior door and a closet.*
- I. *This ordinance shall be reviewed annually by the Planning Board to ascertain whether the balance between the number of standard residential dwelling units and elderly housing units continues to reflect the stated goals of the Fremont Master Plan and the community's long-term planning intentions.*

The Planning Board recommends this article.

YES - 306

NO - 102

Article passed by ballot vote.

ARTICLE 3: Are you in favor of amending **ARTICLE IV Section 2** of the Fremont Zoning Ordinance to read as follows:

Every building lot shall have a minimum contiguous lot frontage on Federal, State and Town highways of two hundred (200) feet provided that where lots are located on the exterior side of a curving street the minimum road frontage shall be no less than one hundred (100) contiguous feet, provided that the average width of the lot measured across its center shall be two hundred (200) feet. Building lots on which multiple family dwellings are located shall have an additional frontage of twenty (20) feet per family unit when less than five (5) family units and forty (40) feet per family unit when five (5) or more family units are considered. i.e.: (200 plus 20

multiplied by the number of family units) or (200 plus 40 multiplied by the number of family units). No lot line shall be less than one hundred (100) feet and each lot shall have no less than four (4) lot lines.

The Planning Board recommends this article.

YES - 302

NO - 106

Article passed by ballot vote.

ARTICLE 4: Are you in favor of amending ARTICLE V Section 1 of the Fremont Zoning Ordinance to read as follows:

All dwellings and structures shall meet the requirements stated in the 2000 edition of the ICC Codes.

The Planning Board recommends this article.

YES - 321

NO - 78

Article passed by ballot vote.

ARTICLE 5: Are you in favor of amending ARTICLE V Section 10 of the Fremont Zoning Ordinance to read as follows:

All dwellings and buildings shall meet the Life Safety Code in accordance with NFPA Section 101 – 2000 Edition.

The Planning Board recommends this article.

YES - 335

NO - 68

Article passed by ballot vote.

ARTICLE 6: Are you in favor of amending ARTICLE VI Section 1 of the Fremont Zoning Ordinance to read as follows:

The Board of Selectmen or designee shall constitute a Board of Building Inspectors and shall be the Administrative Officers of this ordinance.

The Planning Board recommends this article.

YES - 268

NO - 123

Article passed by ballot vote.

ARTICLE 7: Are you in favor of amending ARTICLE VI Section 2 of the Fremont Zoning Ordinance to read as follows:

It shall be unlawful for any person to commence work for erection or alteration of any building or structure until a permit has been duly granted for such erection or alteration by the Selectmen or designee and the said Selectmen or designee shall base their approval or rejection of proposed plans upon the effect such operations are likely to have upon the value and/or use of other property in the vicinity and/or the Town, and upon the provisions of the Ordinance.

The Planning Board recommends this article.

YES - 269

NO - 120

Article passed by ballot vote.

ARTICLE 8: Are you in favor of amending ARTICLE VI Section 3 of the Fremont Zoning Ordinance to read as follows:

The Board of Selectmen or designee shall require that the application for building permit include a plot plan and contain all necessary information to enable them to ascertain whether the proposed buildings or structures and their intended use comply with the provisions of this ordinance.

The Planning Board recommends this article.

YES - 263

NO - 123

Article passed by ballot vote.

ARTICLE 9: Are you in favor of amending ARTICLE VI Section 4 of the Fremont Zoning Ordinance to read as follows:

No building permit shall be issued until the Board of Selectmen or designee has certified that the proposed building or structure and its intended use comply with the provisions of this ordinance.

The Planning Board recommends this article.

YES - 265

NO - 119

Article passed by ballot vote.

ARTICLE 10: Are you in favor of amending ARTICLE IX Section C. 2. d. of the Fremont Zoning Ordinance to read as follows:

Sections a – c above shall be considered minimum buffer areas for watershed protection. In certain cases the Board may require increased watershed boundaries when considering, but not limited to, the following: when areas abutting watershed protection areas have excessive inclines of twelve percent (12%) or greater, importance of watershed to water supply, importance of watershed to wildlife habitat. If the Board makes a determination that increased watershed protection is necessary, the Board may require the watershed protection area to be increased by up to and not to exceed one hundred feet (100').

The Planning Board recommends this article.

YES - 257

NO - 135

Article passed by ballot vote.

ARTICLE 11: Are you in favor of completely removing ARTICLE XIII: Growth Management Ordinance from the Fremont Zoning Ordinance and renaming to “reserved”.

The Planning Board recommends this article.

YES - 279

NO - 100

Article passed by ballot vote.

**SECOND SESSION: SATURDAY MARCH 13, 2004 TO BE HELD AT THE ELLIS
SCHOOL AT 432 MAIN STREET IN FREMONT NEW HAMPSHIRE
TIME: 5:00 PM**

Raymond Bernier, Moderator, called the meeting to order at 5:00 pm and reminded voters to register with the Supervisors of the Checklist. Mr Bernier requested a show of hands of non-voters. This included Heidi Carlson, Dave Hersom from the Rockingham News, Greg Lowell from Chester NH, and a Fremont resident not yet registered to vote. There were approximately 250 people in the audience.

The Board of Selectmen presented the Town of Fremont 2003 Appreciation Award to Philip Peterson for his contributions to the Town of Fremont. Peterson was presented a plaque, certificate of appreciation, and a hat with the town seal on it.

Selectman Gene Cordes presented a plaque and hat to Richard Clark who has just completed his sixth year on the Board and is temporarily moving from Fremont.

Newly elected Selectman Peter Bolduc was introduced by Moderator Bernier. Bolduc then led the audience in the Pledge of Allegiance.

Seated at the head table were Town Clerk Lori Holmes; Selectmen Gene Cordes and Richard Clark, and Selectman-elect Peter Bolduc; Town Counsel John Ryan; and Town Administrator Heidi Carlson.

Moderator Bernier read aloud the results of the first session of voting (articles 1 through 11), held on Tuesday March 9, 2004. He also read through the School District voting results.

ARTICLE 12: By Petition: To see if the Town will vote to raise and appropriate the sum of up to four million dollars (\$4,000,000) for the purchase of land or other property interests therein to protect the Town's rural character and natural resources by conserving land; further to authorize the issuance of not more than four million dollars (\$4,000,000) in bonds and/or notes in accordance with the provisions of the Municipal Finance Act (NH RSA 33) and to authorize the Selectmen to issue and negotiate such bonds and/or notes and to determine the rates of interest thereon and the maturity and other terms thereof. Said bonds/notes will be issued on an as needed basis, to acquire easements or open space on parcels as recommended by the Conservation Commission, with the approval of the Board of Selectmen in accordance with the provisions of RSA 36-A:4. The Selectmen and Budget Committee recommend this appropriation. (2/3 ballot vote required.)

Moderator Bernier clarified that in order to speak, one must use the microphone, and all questions and answers are to be directed through the Moderator. Each person will

be allowed three minutes at the microphone. Everyone will be allowed to speak once before anyone speaks a second time on the same issue.

Gene Cordes moved the question. Rick Clark seconded. Gene Cordes gave a brief introduction of the Open Space Committee, indicating that the group had been formed last fall at the suggesting of the Fremont Conservation Commission. The purpose of the article is to preserve open space. The Open Space Committee has brought forward this proposal following the past four months of work and research.

Janice O'Brien introduced herself as a Co-Chair of the Open Space Committee. All other attending members of the Open Space Committee stood so that they could be identified. O'Brien explained about open space and indicated if this article was passed in Fremont, that it would allow funding to be available for future purchases of land or easements on land for protection of open space.

Open Space Committee Member Kenn Jones then presented information about open space and why it makes sense for Fremont, by protecting the land and resources in town. It also provides opportunities for current landowners to do something with their land aside from sell it to developers. It also, in the long run, he said, will save money for taxpayers.

He discussed the track of development in Fremont, including a 62% increase in population since 1990. He highlighted that this increases demand on resources, water, and land. Protection of land would help to foster wildlife as well.

He then described what a conservation easement is and what it would mean to a landowner. An easement would be sold to the Town, allowing the owner to still maintain their home or farm (whatever they currently do with their property); but would ban the landowner from subdividing or commercially developing the land.

He then described the process the Open Space Committee would go through, to see what properties are available, and eligible for protection. From there, the proposals go to the Conservation Commission, further to the Selectmen, further to a public hearing process; all prior to any decision being made on purchase of land or easements and any funds being disbursed.

Greg Lowell from the Chester Conservation Commission spoke about this same process happening in Chester NH. A \$3,000,000 bond for 10 years was passed in Chester which has resulted in them being able to purchase easement rights on 10 parcels, accepted 2 donated parcels; and purchase the old Silver Sands Campground on Route 102.

They figure that this is saving the town \$300,000 to 500,000 per year, figuring that there would have been 170 homes on these protected acres.

Bob Dodge then spoke as Fremont's State Representative. He mentioned the LCHIP program and funding, and further expressed his thoughts about capitalism and said that when land was purchased for easement, it is removed from the tax rolls. He said he did not feel the Town should be in the real estate business, though told voters they could vote however they wanted.

Brian Royer then spoke about the efforts of the Open Space Committee, supporting those efforts but disagreeing with the Town becoming involved in the real estate business.

Bob Larson discussed the efforts the Planning Board undertook several years ago to address growth and development. He stated he thought this would be in the best long-term interest of Fremont.

Janice O'Brien said that the Committee is looking primarily at purchasing easements, not land outright. She said that the Town would not be the easement holder in most cases, it would likely be another Conservation agency, such as the Rockingham Land Trust, or the Society for Protection of NH Forests.

The Moderator then recognized Election workers Ruth Anderson, Sandra Roy, Roberta Stevens, Lori Holmes, Matthew Thomas, Barbara Baker, and Ann Stackpole; and thanked them for their time and efforts on Tuesday.

Barbara Benham asked about the tax savings realized in Chester, and Mr Lowell addressed this question by talking about the savings on the 170 homes that were not built.

Matthew Thomas then "corrected" Bob Dodge by indicating that Fremont is the 3rd fastest growing town of the 37 in Rockingham County; and 50th in 258 communities in New Hampshire. Thomas indicated that LCHIP funds are not as readily available as they once were. He said that when looking at the past history of Fremont's school budget, it is clear to see that growth does cost.

Bob Dodge spoke again about bond issues and debt service.

Michael DiCroce said that any easements purchased would affect Fremont forever. He discussed the long-term effects, and indicated that years from now the Town might rather decide that industrial development would be better.

Audrey Karamourtopoulos questioned whether it would be better to purchase land outright versus buy an easement. She discussed the political issues surrounding purchasing land. She then asked some about questions about Fremont demographics, indicating that what is being presented tonight is different than that presented last week at the School District Meeting by the Demographer.

John Whiteside then discussed the issue and both sides, and the perspectives that have been offered this evening. He asked people to focus on the future of the Town.

Andy Kohlhofer talked about property values, indicating that he felt that over time if development slowed, that property values would plateau or decline. He felt that it was desirable for people to move to Fremont, and discussed supply and demand.

Joe Delahunty discussed the zoning options which are open to the Town, to help slow growth, such as increasing setbacks from wetlands, or increasing the minimum lot size.

Kenn Jones addressed some of the questions that had been asked. He said that if easements are obtained, the land will be valued at current use values (for tax purposes) and is not totally removed from the tax base.

Peg Pinkham clarified that last week the \$2.3 million addition was passed within the School District Meeting, but no \$10 million request would be coming forward next year from the School Board. She also clarified that the demographic study indicates that on average, for every two houses built, one child enters the school system.

Janice O'Brien discussed elderly housing developments and felt that it did not solve the problem in terms of taxes given who moves into these developments. She said the issue is about the type of environment you want to live in and what you want Fremont to be like. She said this is only one tool to use to shape the environment and quality of life that is Fremont.

Matthew Thomas explored the zoning options discussed by Joe Delahunty, indicating that the ZBA was available to approve variances to the setbacks. He asked people to look at other industry towns like Derry, Plaistow, and Raymond, indicating they have commercial development but still have tax rates as high or higher than Fremont.

Open Space Committee Member Eric Feldborg discussed grants and matching funds which are needed to help offset the costs. The town needs some money available to be able to access matching funds. He further talked about what rights the owner maintains when giving an easement. He said this provides more options for landowners and for the Town, to preserve open space.

Gene Cordes indicated that Growth Control Ordinances are not something that have been helpful in the Town's "tool box." He indicated that changing setbacks and lot sizing requirements have to be defensible and reasonable in their implementation.

Cordes then indicated that the group had been discussing this for over an hour, and asked to call the question. Richard Clark seconded. The vote was approved by voice vote to call the question.

At 6:20 pm Moderator Bernier indicated that voting would now commence on Article 12, and would be open until 7:20 pm. He said after one half hour, after people have had the opportunity to vote, that the meeting would resume.

At 6:50 pm Moderator Bernier called the meeting back to order, indicating again that polls would remain open until 7:20 pm.

ARTICLE 13: To see if the Town will vote to raise and appropriate the sum of one hundred fifty thousand dollars (\$150,000) for a complete revaluation and purchase of the associated computer hardware and software and authorize the withdrawal of ninety-eight thousand dollars (\$98,000) from the Capital Reserve Fund created for that purpose. The balance to come from general taxation. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Gene Cordes moved the question. Peter Bolduc seconded. Gene Cordes spoke to this article. He indicated that the Town was last revaluated in 1988; and as part of the State initiative for the school education tax, certification by the NH Department of Revenue must be done every five years, which is April 1, 2005 for Fremont.

Gene Cordes called the question. Peter Bolduc seconded. **Article 13 passed by voice vote.**

Gusti Buhrman moved to restrict reconsideration on Article 13. Gene Cordes seconded. **The vote passed by voice vote.**

ARTICLE 14: To see if the Town will vote to raise and appropriate the sum of fifty-three thousand dollars (\$53,000) to be placed in existing Capital Reserve Funds for the following purposes. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

- a. Police Cruiser \$10,000
- b. Radio Communication Equipment \$5,000
- c. Emergency Management Vehicle \$3,000
- d. Fire Truck \$12,500
- e. Highway Building \$15,000
- f. Highway Equipment \$7,500

Gene Cordes moved the article. Peter Bolduc seconded. **Article 14 passed by voice vote.**

ARTICLE 15: To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of playground equipment and construction at the Town's Memorial Ballfield Park; and to raise and appropriate the sum of five

thousand (\$5,000) to be placed in this fund. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Gene Cordes moved the article. Richard Clark seconded. **Article 15 passed by voice vote.**

ARTICLE 16: To see if the Town will vote to raise and appropriate the sum of eight hundred fifty-nine dollars (\$859) for the purchase of a Type 2 OSHA Sound Level Meter and Calibrator and to authorize the withdrawal of eight hundred fifty-nine dollars (\$859) from the Police Department OHRV Equipment Special Revenue Fund for said purchase. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Gene Cordes moved the article. Richard Clark seconded. Chief Janvrin explained that the equipment would be purchased from the existing special revenue fund. He further explained that this equipment would measure decibels of OHRV's in response to noise complaints. **Article 16 passed by voice vote.**

ARTICLE 17: To see if the Town will vote to raise and appropriate the sum of fifty-three thousand four hundred eighty-three dollars (\$53,483) to grade, roll, gravel, pave, and do finish shoulder work on Pine Street, Pigeon Lane, Bruce Avenue, Riverside Drive, Shady Lane, Beach Street. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Peter Bolduc moved the article. Richard Clark seconded. **Article 17 passed by voice vote.**

ARTICLE 18: To see if the Town will vote to raise and appropriate the sum of seventeen thousand dollars (\$17,000) to reprint in hard cover, the Town History of Fremont book. All revenues from the sale of said book will be returned to the Town of Fremont. The Selectmen and the Budget Committee recommend this appropriation. (Majority vote required.)

Peter Bolduc moved the article. Richard Clark seconded. Matthew Thomas spoke about this article, indicating that in 1998 the *Town History of Fremont* had been published. The 600 copies purchased sold out in 2 ½ years. He said that the cost of the hardcover book would be between \$35 and \$40 and that all revenues will be returned to the Town. Thomas will be adding more information and vital statistics (1807 through 1870's); and other data for the years since the original publication. Thomas stated that 500 copies will be printed. **Article 18 passed by voice vote.**

ARTICLE 19: By Petition: To see if the Town will vote to raise and appropriate the sum of thirteen thousand six hundred twenty-two dollars (\$13,622.00) to purchase a Kustom Signal Speed Monitoring Trailer. This purchase to be offset by a NH Highway

grant of six thousand dollars (\$6,000). The Selectmen and the Budget Committee do not recommend this appropriation. (Majority vote required.)

Peter Bolduc moved the article. Richard Clark seconded. Chief Janvrin spoke about the article, indicating he had brought this article forward because he was approached by a group of residents asking why Fremont did not have one of these signs. Janvrin discussed the benefits of having such a trailer, in terms of community awareness.

Article 19 defeated by voice vote.

Moderator Bernier then explained that Selectmen had asked to put Articles 20 and 22 together. Cordes moved to handle Article 21 prior to 20 and 22. Richard Clark seconded. **Handling of Article 21 prior to 20 and 22 passed by voice vote.**

ARTICLE 21: To see if the Town will vote to raise and appropriate the sum of one thousand eighty dollars (\$1,080) in support of the Home Health & Hospice Care Agency in Nashua NH. The Selectmen and Budget committee do not recommend this appropriation. (Majority vote required.)

Peter Bolduc moved the question. Richard Clark seconded. **Article 21 defeated by voice vote.**

ARTICLE 20: To hear the report of the Budget Committee and take any action the Town deems necessary.

ARTICLE 22: To see what sum of money the Town will vote to raise and appropriate for general municipal operations, exclusive of all other warrant articles already voted. The Budget Committee recommends two million seventy-one thousand five hundred thirty-four dollars (\$2,071,534) and the Board of Selectmen recommends two million one hundred sixteen thousand four hundred eight dollars (\$2,116,408.00). (Majority vote required.)

Thom Roy moved to appropriate the sum of \$2,071,534. Richard Clark seconded. Roy explained the Budget Committee's recommendation and what had been removed from the Selectmen's budget. The items not recommended by the Budget Committee included \$30,000 for repairs at the Sandown Road Bridge; and \$14,874 for Parks & Recreation Field Maintenance. Roy also indicated that passage of all articles here tonight represented approximately 70 cents on the municipal portion of the tax rate.

Kevin Zukas asked what work was planned for the Sandown Road Bridge. Gene Cordes explained that it was to repair a rock dislodged from the headwall.

Gusti Buhrman moved to amend the budget by increasing it by \$30,000 for the bridge repairs, to a total of \$2,101,534. Peg Pinkham seconded the motion. There was no further discussion on the amendment.

The vote to amend Article 22 to the sum of the operating budget to \$2,101,534 was too close to call by voice vote. Moderator then called for a card vote on whether to amend Article 22. **YES - 72 NO - 65. Passed by card vote to amend Article 22 to \$2,101,534.**

At 7:20 pm Moderator Bernier announced that the polls were now closed for ballot voting on Article 12.

Breeda Royer had questions regarding the operating budgets, and increases from 2003 to 2004. She specifically questioned the Executive and Personnel Administration lines. Selectmen asked Heidi Carlson to speak to these questions.

Moderator Bernier explained that Carlson was the Selectmen's Administrator and would address the budget questions, though not a Fremont resident. Meredith Bolduc called a point of order indicating that Carlson was not a resident. The Moderator explained again Carlson's position and asked for a vote of the body on whether to allow Carlson to speak. Gusti Buhrman called a point of order that the Moderator can designate any person to speak, and it does not have to be a vote of the body. The Moderator called for a vote and it was substantially in favor of allowing Carlson to speak.

Heidi Carlson explained each line item difference in the Executive Budget and answered a further question from Royer about whether there was a new position in that budget. Carlson explained that the one personnel change was a new clerical position in the Town Clerk's office for six (6) hours per week.

Carlson then explained the line items in the Personnel Administration budget, indicating that there was a new full-time highway labor position within this budget, budgeted for 3/4 of the year of full-time benefits. There were also three employees who changed health insurance from single to family; and increased insurance costs. There is also a large increase in workers compensation insurance due to subcontractors who do not carry it.

Breeda Royer then moved to reduce the budget by the amount of money for the full-time highway department position. Andy Kohlhofer seconded the motion to amend. Carlson sat to calculate these amounts at Mrs Royer's request.

Carlson indicated that the amount to remove the full-time status and benefits was \$25,083; and included \$12,603 in the benefits package; and \$12,480 in wages (difference between current part-time staffing and 40 hours per week).

Breeda Royer then moved to reduce the operating budget by \$25,083 to get to an operating budget figure of \$2,076,451. Andy Kohlhofer seconded.

Gusti Burhman questioned whether this vote was intended to dictate whether or not the position was removed.

Mrs Royer said her intent was to remove the money from the budget for this position.

Gusti Burhman went on to say that the Selectmen have authority over the bottom line of the budget.

Attorney Ryan clarified that unless a line item position was taken on every budget, a vote at Town Meeting was not binding for a specific item. The Selectmen have control of the bottom line of the budget.

Chairman Cordes indicated that if it was the will of this body, that the Selectmen would follow that indication in good faith.

Yvonne Ouellette asked what the position was, and what happens if it is not filled.

Gene Cordes explained that the position is currently filled part-time and is a highway laborer and equipment operator. He described some of the duties this person would do if hired on a full-time basis, including road and brush maintenance, filling potholes, installing signs, snow plowing, and other general highway work.

Gusti Buhrman called the question. Gene Cordes seconded. **The vote to amend the budget to \$2,076,451 was defeated by voice vote.**

Moderator Bernier explained that we were back to voting on the amended Article 22 in the amount of \$2,101,534.

Gene Cordes called the question. Lori Holmes seconded. **Article 22 as amended to \$2,101,534 was passed by voice vote.**

Gene Cordes moved to restrict reconsideration of Articles 14, 15, 16, 17, 18, 19, 20, 21, and 22. Richard Clark seconded. **The motion to restrict reconsideration on Articles 14, 15, 16, 17, 18, 19, 20, 21, and 22 passed by voice vote.**

ARTICLE 23: To see if the Town will vote to adopt the provisions of RSA 72:35, I-a for an optional veterans tax credit of \$2,000 for service-connected total disability on residential property and replace the standard tax credit in its entirety. The Selectmen recommend this article. (Majority vote required.)

Peter Bolduc moved the article. Richard Clark seconded. **Article 23 passed by voice vote.**

ARTICLE 24: To see if the Town will vote to adopt the provisions of RSA 72:28 II and IV for an optional veterans tax credit of \$250 on residential property and replace the standard tax credit in its entirety. The Selectmen recommend this article. (Majority vote required.)

Peter Bolduc moved the article. Gene Cordes seconded. **Article 24 passed by voice vote.**

Mary Anderson called for the results of Article 12. Moderator Bernier read the count for Article 12. He indicated that there were 256 ballots cast and that a 2/3 majority would require 170 yes votes. **YES - 164 NO - 90 Article 12 defeated by ballot vote.**

Breeda Royer moved to restrict reconsideration of Article 12. David Brown seconded. As a point of order Gusti Burhman stated that this was part of the statue on a bond issue, and it could not be reconsidered at this meeting. No vote was taken.

ARTICLE 25: To see if the Town will vote to change the purpose of the previously designated Snow Plow Capital Reserve Fund to the Highway Equipment Capital Reserve Fund. (2/3 vote required.) The Selectmen recommend this article.

Gene Cordes moved the article. Richard Clark seconded. **The voice vote was overwhelming in favor and declared passed by a 2/3 vote by the Moderator.**

ARTICLE 26: To see if the Town will vote to accept deeded title to 2,500 feet of Brown Brook Circle as designated on Plan # D-29087 from Dean C Howard of Howard Construction, with a two year maintenance bond to be held by the Town in the amount of \$5,000; upon satisfactory installation of the final course of paving; and satisfactory inspections by the Road Agent and Town Engineer following the final paving. (Majority vote required.)

Gene Cordes moved the article. Peter Bolduc seconded. **Article 26 passed by voice vote.**

ARTICLE 27: To transact any other business that may legally come before this meeting.

Mary Anderson asked for recognition for Judy Peterson and Thom Roy, neither of who ran for the Budget Committee this year, but who have both served in the position for many years. Both stood and received a round of applause as thanks for their work.

Mary Anderson also indicated to the body what the anticipated increases are in the tax rate, from the School District Meeting last week, and from this meeting. She estimated the increase between \$5.00 and \$7.00 per thousand. She said that she would have a police officer on duty during the fall tax collection season, and wanted a letter to be

sent out by the Selectmen to notify the taxpayers who are not here this evening of the impending increases. A notice can be placed in the town Newsletter, but Anderson said that there are several non-resident taxpayers as well who should be sent a letter.

Hector Erinna came to the microphone and said he wanted to discuss changes to Article 24. He said that he would like to see the amount increased incrementally over the next three years to get to a total of a \$500 credit at the end of that time.

Hector Erinna moved to reconsider Article 24. Gene Cordes seconded the motion.

Mr Erinna said that Veterans are a special breed of people and said after their war-time service they returned to be policemen, firemen, and a host of other workers in their communities. He said he felt they deserved to get to the limit of the credit as recently allowed by the Legislature.

Yvonne Ouellette asked why not just increase the credit to \$500 now.

Erinna said that he wanted to cushion the tax impact of the change over a three year time span. There was more general discussion about the article, including an explanation by Heidi Carlson of the statutory changes that happened this year, allowing the regular veteran's credit to be anywhere in the range of \$100 to \$500 per eligible veteran.

Kyle Murdock moved to amend the Article 24 for the Veteran's Credit to \$500. Yvonne Ouellette seconded. **The vote to amend Article 24 passed by voice vote.**

At 8:35 pm Gene Cordes moved to adjourn the meeting. Lori Holmes seconded. **The vote was unanimously approved.**

Respectfully submitted,

Lori A Holmes
Town Clerk

/hlc